



CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · www.cityofnewarkde.us

REQUEST FOR PROPOSAL (RFP) NO. 20-01

MUNICIPAL PLANNING SERVICES FOR
THE CITY OF NEWARK

CITY OF NEWARK
DELAWARE

RFP No. 20-01

MUNICIPAL PLANNING SERVICES FOR
THE CITY OF NEWARK

NOTICE

A PDF copy of proposal responses to RFP No. 20-01, MUNICIPAL PLANNING SERVICES FOR THE CITY OF NEWARK, will be received by the City of Newark's Purchasing Office at purchasing@newark.de.us until 2:00 p.m. on Tuesday, March 17, 2020. One sealed envelope containing basis for fees documents (as outlined in the "BASIS FOR FEES SUBMISSION" section on page 7 of RFP 20-01) will also be received via mail by the City's Purchasing Office (Newark Municipal Building; 220 South Main Street; Newark, DE 19711) until the deadline previously mentioned. If desired, paper copies of RFP 20-01 responses can be mailed to the Newark Purchasing Office for consideration, but this is not necessary.

Any requests for information related to the RFP or submittal process should be directed to Assistant to the City Manager Jeff Martindale at (302) 366-7000 x2005 or jmartindale@newark.de.us. Please contact Planning and Development Director Mary Ellen Gray at (302) 366-7000 x2040 or mgray@newark.de.us with any technical or services-related questions. Please submit all questions/requests for information in bulk (e.g., in a Word document attached to an email) by 5:00 p.m. on Tuesday, March 3, 2020 to allow staff sufficient time to develop answers they deem appropriate. All questions/RFIs must be answered by staff through addenda to RFP 20-01.

Copies of this RFP may be obtained from the City's website at www.newarkde.gov/bids.

CITY OF NEWARK
DELAWARE

RFP No. 20-01

MUNICIPAL PLANNING SERVICES FOR
THE CITY OF NEWARK

TABLE OF CONTENTS

A. PURPOSE AND INTENT	1
B. SCOPE OF SERVICES.....	1
C. QUALIFICATIONS	2
D. GENERAL REQUEST FOR PROPOSAL INFORMATION.....	3
E. PROPOSAL REQUIREMENTS/EVALUATION CRITERIA.....	6
F. DISCOVERY	6
G. BASIS FOR FEES SUBMISSION	7
H. EVALUATION COMMITTEE	7
I. DEADLINE FOR SUBMISSION AND NUMBER OF COPIES REQUIRED.....	7
J. PROGRAM REQUIREMENTS & INSURANCE AND INDEMNIFICATION	7
K. PROCUREMENT PROCESS.....	9

CITY OF NEWARK
DELAWARE

RFP No. 20-01

MUNICIPAL PLANNING SERVICES FOR
THE CITY OF NEWARK

A. PURPOSE AND INTENT

The City of Newark Planning and Development Department regulates all land use and development in the City and provides related ancillary services through its Program Divisions which include: Land Use and Development; Community and Development; Transportation and Technical Services; Economic Development; Parking; and Code Enforcement.

B. SCOPE OF SERVICES

The scope of services required by the City in connection with this request for proposal covers the entire spectrum of services that are customarily provided to governmental entities by professional planning and project management firms. The services provided should include, but need not necessarily be limited to, the following:

Plan Review:

Subdivision, building permit, and site plan reviews relating to land use, zoning, building, property maintenance code, and fire code design, to ensure compliance with applicable policies, codes, ordinances, regulations and laws.

Project Tracking:

Tracking, managing and measuring progress of land use applications in process.

Policy, research, ordinance development:

Provide policy, research, and ordinance development.

Project, Committee, and Technical support:

Provide meeting, committee, and technical support on various planning related workgroups and committees.

Administrative:

Administrative services and support related to supporting the activities of the Planning and Development Department.

Code Enforcement:

Administrative and professional services related to the enforcement of the International Building Codes and related State and Municipal Codes pertaining to permits issued for rental units, signs, elevators, construction as well as State and City Fire Code compliance for new and existing construction and business licensing.

The selected firm(s) will be required to work closely with the Planning and Development Department's staff. During the performance of code enforcement services, the firm's project manager and/or field representative shall be available at all times via cellular phones.

C. QUALIFICATIONS

The written proposal shall, at a minimum, include the following information:

1. The firm name and contact person, together with the address, telephone number, facsimile number and email address, of the office from which the services will be provided. Corporate office information shall also be provided, if applicable.
2. A brief history of the firm (limit two pages), including organization structure, location of management, and evidence that the firm is authorized to do business in the State of Delaware.
3. A description of the services, specifically relating to the municipal sector, which the proposer is capable of providing, together with an explanation of how these services might best assist the City. Include specific information on specialized resources available to your firm such as computer capability, access to innovative techniques, personnel with specialized knowledge and expertise in the municipal consulting field.
4. A chronological listing of the municipal engagements, specifically within the State of

Delaware, for which your firm and/or staff has served over the past five (5) years. Be sure to include specific dates and a brief description of the services provided.

5. A list of references the City may contact in order to assist in the evaluation of the firm's past performance. Please limit these references to governmental entities with the State of Delaware to whom you have provided services over the past three (3) years. For each reference listed, the information provided should consist of the following:
 - a. Name and mailing address of the governmental entity.
 - b. Name and telephone number of your contact person within said governmental entity.
6. Information on the nature and magnitude of any litigation or proceeding whereby, during the past three (3) years, a court or any administrative agency has found fault, held proceedings or ruled against the proposer in any matter related to the professional activities of the proposer. Similar information shall be provided for any current or pending litigation or proceeding.
7. A statement to the effect that the selection of the proposer shall not result in a conflict of interest with any other party which may be affected by the work to be undertaken. Should any potential or existing conflict be known by a proposer, said proposer must specify the party with which the conflict exists or might arise, the nature of the conflict, and whether or not the proposer would step aside or resign from the engagement or representation creating the conflict. (The City reserves the right to select more than one firm to perform the required services to avoid conflict of interest and other similar occurrences.)
8. Any additional information that you feel will be beneficial to the City in evaluating your qualifications to provide planning services to the City of Newark. However, any elaborate brochures, and voluminous examples are neither required nor desired.

D. GENERAL REQUEST FOR PROPOSAL INFORMATION

1. Questions: Any questions concerning the technical aspects of this RFP should be directed to Mary Ellen Gray, Director Planning and Development at (302) 366-7000 x2040 or mgray@newark.de.us. Questions regarding the submission of proposals or procedures of evaluation should be directed to Jeff Martindale, Assistant to the City Manager, at 302-366-7000 x2005 or jmartindale@newark.de.us. The City of Newark requests that all questions be submitted in bulk (preferably in a Word document attached to an email) by 5:00 p.m. on Tuesday, March 3.

2. Award: The City Manager or designee will review each of the bids submitted and make a recommendation to the City Council on the disposition of the bids. The City shall have the full authority to award projects to the planning services firm who best meets the specifications and conditions of this RFP.
3. Rejection of Proposals: The City reserves the right to reject any or all proposals if deemed to be in the best interest of the City to do so and to waive any irregularities or defects where the best interest of the City would be served.
4. Other Proposal Outcomes: The City reserves the right to enter into contract with more than one firm in order to avoid potential conflict of interest issues and to ensure that the City receives adequate representation to perform the scope of services involved with each project.
5. Revisions to RFP/Addendum: In the event it becomes necessary to revise any part of the RFP, revisions will be provided to all engineering firms which received the initial RFP in the form of an addendum. Engineering firms are responsible to confirm receipt of all addenda prior to proposal submittal.
6. Assignment: The firm shall not assign any interest in the contract, and shall not transfer any interest in the same without the prior written consent of the City.
7. Acceptance of Proposal Content: The contents of the proposal of the successful planning services firm will become a part of any agreement as a result of these specifications.
8. Termination of Contract: If through any cause, the firm selected shall fail to fulfill the obligations agreed to in a timely and efficient manner, the City shall have the right to terminate the contract by specifying the date of termination in a written notice to the firm at least thirty (30) days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for the work satisfactorily completed.
9. Accounting Records: Individual task orders will be negotiated based on the submitted "Basis for Fees".
10. Ownership of Material: All documents prepared and submitted pursuant to this RFP or contract shall be property of the City upon submittal and will be subject to staff and public review and discussion in association with our public bidding and formal proposal process. Any information or documents deemed proprietary shall be so marked at time of submittal and limited to detail where the disclosure of contents could be prejudicial to competing offerors during the process of negotiation, and any commercial or financial information of a privileged or confidential nature.

11. Approval: In the event that City Council is required to approve the award of a contract based on this RFP, the selected firm(s) may be required to attend the Council Meeting to address any questions. Costs for attendance shall be incorporated in the bid.
12. Advertisements: Any bidder submitting a bid will not use the name of the City in any advertisement without first obtaining the written consent of the City Manager.
13. EEO and Business Licenses: The bidder shall possess all required business or other licenses and also shall be a fair and equal opportunity employer.
14. Noncollusion: The bidder shall not, either directly or indirectly, enter into any agreement, participate in any collusion, or otherwise take any action in restraint of free competitive bidding in connection with the contract.
15. Term of Contract: The length of the contract will be for two (2) years. By mutual consent of the contracted firm(s) and the City, the contract may be renewed or extended for additional one (1) year periods, not to exceed a total of four (4) years. This option shall be exercised only if agreed to in writing by both parties and approved by the City Manager and/or City Council where applicable.
16. Time of Completion and Liquidated Damages: The City will work with the selected firm to establish an agreed upon time schedule for the completion of each task prior to the issuance of individual purchase orders.

E. PROPOSAL REQUIREMENTS/EVALUATION CRITERIA

Proposals will be evaluated according to the following criteria. The City of Newark reserves the right to reject any/all proposals received and to award the contract for project services to the firm or firms which the City of Newark believes will offer the best value for the scope of work. The following are the criteria upon which the City's RFP evaluation committee will use to determine the selected proposer(s):

1. Reputation and experience of the firm(s) in connection with services related to the scope of work. **Point Range: 0-35**
2. Qualifications of staff to be assigned. Education, position in firm, type and years of experience will be considered, as derived from the written proposal. **Point Range: 0-25**
3. Responsiveness of the written proposal in clearly stating an understanding of the work to be performed, as outlined in the scope of services portion of this request for proposals. **Point Range: 0-25**
4. Location of office performing work. **Point Range: 0-15**

Maximum Points: 100

F. DISCOVERY

After the proposals are evaluated by the Evaluation Committee, the highest ranked firms will be required to spend a maximum of two (2) business days, on-site with the Department, to better understand the processes, procedures and operations of the Department. All bidders will be on-site at the same time to ensure transparency and prohibit favoritism. The number of firms selected to participate in the Discovery process is at the City's sole discretion.

Upon completion of discovery, the selected firms will have an opportunity to revise their original bid proposal to include any necessary changes to ensure the partnership is successful.

Bid presentations will then be made by the finalists to deliver their proposed solutions based on the on-site meetings.

The vendors are then given a final ranking by the review committee after the site visit and oral presentation.

G. BASIS FOR FEES SUBMISSION

In a separate envelope, provide a “Basis for Fees” in sufficient detail, such as a current Fee Schedule, to provide the broad array of services anticipated in this solicitation.

H. EVALUATION COMMITTEE

The proposals will be evaluated by a Committee comprised of the Planning and Development Department Director and two Planners, the Code Enforcement Manager, and the Assistant to the City Manager.

I. DEADLINE FOR SUBMISSION AND NUMBER OF COPIES REQUIRED

1. As a PDF file, send the RFP response proposal titled ‘RFP 20-01, Planning Engineering Services for City of Newark Projects’ to purchasing@newark.de.us. Alternatively, in one sealed envelope, provide **six (6) copies** of the proposal marked ‘RFP 20-01, Municipal Planning Services for the City of Newark’.
2. In a separate and sealed envelope, provide **three (3) copies** of the firm’s Fee Schedule marked ‘Basis for Fees RFP 20-01, Municipal Planning Services for the City of Newark’. This envelope will not be opened until all proposal submitting firms have been ranked. Cost will not be a determinant for selection.
3. Emailed PDFs and mailed items must be received by the Purchasing Office on or before 2:00 p.m. on Tuesday, March 17, 2017. Again, the email address to which PDFs of RFP response proposals should be sent is purchasing@newark.de.us and the mailing address to which sealed basis for fees documents (and, optionally, paper copies of RFP responses) should be sent is:

City of Newark
Purchasing Office
220 South Main Street
Newark, Delaware 19711

J. PROGRAM REQUIREMENTS & INSURANCE AND INDEMNIFICATION

1. The selected firm shall provide evidence of professional liability insurance with the following limits, as well as acceptable certificates of workers' compensation, auto liability and general liability.

\$2,000,000 Each Occurrence Limit
\$2,000,000 Personal & Advertising Injury Limit
\$3,000,000 Annual Aggregate Limit
\$3,000,000 Products-Completed Operations Limit
\$1,000,000 Business Auto Liability Limit
\$5,000,000 Commercial Umbrella Limit

The Prime/General Contractor, Newark (owner), and all other parties required of the General Contractor, shall be included as insured on the CGL, using Additional Insured Endorsements providing coverage as broad as the coverage provided for the named insured subcontractor.

Subcontractors approved in association with the hiring of the successful firm shall be required to provide Commercial General Liability (CGL) coverage with limits of insurance not less than:

\$1,000,000 Each Occurrence Limit
\$1,000,000 Personal & Advertising Injury Limit
\$2,000,000 Annual Aggregate Limit
\$2,000,000 Products – Completed Operations Limit
\$1,000,000 Business Auto Liability Limit
\$3,000,000 Commercial Umbrella Limit

2. The firm shall solely be responsible and liable for the accuracy and completeness of all work performed and shall agree to indemnify, defend and hold harmless the City of Newark, its officers, agents and employees, from and against any and all claims, actions, suits and proceedings arising out of, based upon or caused by negligent acts, omissions or errors of or the infringement of any copyright of patent, by the firm, its officers, agents, employees in the performance of the contracted agreement.
3. Further, the firm recognizes that the City of Newark is not in the business of preparing specifications, and any omissions in this request for proposal must be strictly addressed by the firm with the submittal of its proposal.
4. The firm shall comply with all current federal and state nondiscrimination and equal opportunity status and policies and agrees to not hold the City of Newark liable for any inadvertent action by the firm which conflicts with such statutes and/or policies.
5. Any proposal may be withdrawn until the date and time stated above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer to sell to the City the services indicated for a period of ninety (90) days, or until one or more of the proposals have been accepted by the Department, whichever occurs

earlier.

K. PROCUREMENT PROCESS

The Planning and Development Department plans to employ the following implementation schedule (all listed dates are simply projections for discussion):

- The RFP is issued on Thursday, February 6.
- Questions related to RFP 20-01 shall be submitted by 5:00 p.m. on Tuesday, March 3.
- Proposals shall be submitted by 2:00 p.m. on Tuesday, March 17.
- The selected vendor may be required to attend the City Council Meeting during which the RFP is awarded.
- The purchase order for the work outlined in this RFP will be issued the week following the above referenced City Council meeting.
- The City reserves the right to modify the above schedule should it be in its best interests to do so, and, in that event, will duly notify all interested vendors.